



AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT

for the

Northern District of New York

UNITED STATES OF AMERICA

v.

Heather SQUARE

Case No. 8:20-MJ-596 (GLF)

Defendants**CRIMINAL COMPLAINT**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of November 8, 2019, in the county of St Lawrence in the Northern District of New York the defendants violated:

Code Section
 31 U.S.C. § 5332 (a)

Offense Description
 Knowingly conceals more than \$10,000 in currency and transports from a place outside of the U.S. to a place within the U.S.

This criminal complaint is based on these facts:

☒ Continued on the attached sheet.

Richard Vogelzang 11/17/2020 1:40 pm.

Complainant's signature

HSI SA Richard Vogelzang

Printed name and title

Attested to by the affiant in accordance with Rule 4.1 of the Federal Rules of Criminal Procedure.

Date: November 17, 2020

Gary L. Favro

Judge's signature

City and State: Plattsburgh, New York

Hon. Gary L. Favro, U.S. Magistrate Judge

Printed name and title

United States of America v. SQUARE, Heather

On November 8, 2019, at approximately 12:27 p.m., Customs and Border Protection Officers (CBPOs) encountered a gray Chrysler 300, bearing New York license plate XXX-XXXX, arriving for inspection at the Massena, New York Port of Entry (POE). CBPOs encountered three subjects inside the vehicle including Heather SQUARE and passengers Morgan Gray and Layla Back. SQUARE presented a Canadian tribal card, Gray presented a New York driver's license, and Back did not have any identification. All subjects were referred to secondary for a K-9 search and verification on the identification of Back. After the subjects were referred to secondary and pulled under the POE canopy, a CBPO observed that the passengers did not immediately get out of the vehicle. The CBPO waited and then approached the vehicle. SQUARE rolled down the window and was told that the passengers and SQUARE needed to exit the vehicle and report into the secondary area. SQUARE then whispered something to Gray and all occupants exited the vehicle. A CBPO took a binding written declaration from SQUARE, who made a negative declaration on the question: *I Am (we are) carrying currency or monetary instruments over \$10,000 U.S. or foreign equivalent.* SQUARE took a small black backpack into the building with her and brought it with her to the counter. A CBPO opened the backpack and observed a large amount of U.S. currency. SQUARE was asked how much currency was in the backpack and responded she did not know. At this time CBPOs noticed an unexplained bulge near the chest and groin area of SQUARE. CBPOs conducted a patdown search which revealed additional US currency concealed near SQUARE's chest and groin area. In total, CBPOs located approximately \$14,000 in U.S. currency between SQUARE and her backpack. Additionally, Gray was observed coughing and ruffling the front of her shirt and CBPOs noticed a bulge near Gray's chest. CBPOs brought Gray to a secure area and asked Gray what was in her bra and in response Gray shrugged her shoulders and did not give a verbal response. CBPOs conducted a patdown search which revealed approximately \$4,100 in U.S. currency concealed near Gray's chest. CBPOs seized a total of \$18,100 in U.S. currency from SQUARE and Gray.

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At approximately 6:00 p.m., Homeland Security Investigations Special Agents and Task Force Officers interviewed SQUARE. SQUARE waived her *Miranda Warnings* and agreed to speak without a lawyer present. SQUARE stated her mother passed away in March of 2014 and that her mother's name was Suzie Benedict. SQUARE stated that the currency CBP seized originated from a \$100,000 pension and life insurance policy from her mother's passing. SQUARE also stated that the money seized belonged to her and did not belong to Gray. SQUARE advised she gave Gray the money somewhere near the bridge prior to the inspection with CBP.